

RE: Convergen: Cease and Desist

Ryan M. Billings <RBillings@kmksc.com>

Tue 8/4/2020 11:58 AM

To: Dov B. Gold <dgold@seidenlegal.com>

Cc: Robert Seiden <rseiden@seidenlegal.com>; Michael Stolper <mstolper@seidenlegal.com>; Amiad Kushner <akushner@seidenlegal.com>; Benjamin D. LaFrombois <blafrombois@vonbriesen.com>; William E. Fischer <wfischer@vonbriesen.com>

Dear Mr. Gold,

If you believe Plaintiffs have evidence to support your accusations, please provide it for our consideration. Otherwise, it is extraordinarily difficult to respond to vague claims, such as that Mr. Brooks engaged in "defaming" Libra to an unspecified third party, or made "defamatory statements" or "improperly communicated" with other third parties. It also seems that Plaintiffs assume (without evidence), whenever something happens that they don't like, that Mr. Brooks was responsible. At best, that is unproductive.

Mr. Brooks has been advised as to his legal obligations and has every intention of complying with them. If you can provide more specifics, Mr. Brooks will respond to them in good faith. But if your midnight message was merely preparatory grandstanding before Plaintiffs make a preplanned filing with the Court, I guess we'll resolve it through the Honorable Lewis J. Liman.

Ryan

Ryan M. Billings, Esq.

Kohner, Mann & Kailas, S.C.

4650 N. Port Washington Rd.

Washington Bldg., 2nd Floor

Milwaukee, WI 53212-1059

Phone: 414.962.5110

Fax: 414.962.8725

Email: rbillings@kmksc.com

Web / Bio

From: Dov B. Gold <dgold@seidenlegal.com>

Sent: Monday, August 3, 2020 10:24 PM

To: Ryan M. Billings <RBillings@kmksc.com>

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Subject: Convergen: Cease and Desist

Importance: High

Mr. Billings,

We have seen evidence that your client, Steven Brooks, has been engaged in repeated unlawful acts against Libra Group ("Libra") during the pendency of the litigation filed in New York before the Honorable Judge Liman.

Most recently, Libra discovered that Mr. Brooks caused his mother, Ms. Elmerina Brooks, to sign and deliver a letter to Calma Spain Opportunistic Management SL (a Libra partner that has no privity with or obligation to Ms. Brooks) baselessly interfering with an important business relationship. Mr. Brooks' other unlawful acts include:

- Defaming Libra to one of its lenders, which led to the lender's decision not to renew a loan to Libra.
- Making defamatory statements about Libra to Powergen, a Libra vendor.
- Alleging to Luminor, a lender to Libra, that Libra purportedly "breached" a loan agreement.
- Improperly communicating with the US auditors for Convergen.

Please confirm by 12 pm EST tomorrow in writing that Mr. Brooks will cease and desist from this egregious pattern of misconduct. We reserve the right to seek immediate judicial intervention to prevent further harm by your client.

Dov Byron Gold, Esq.

Seiden Law Group LLP

Attorneys at Law

469 7th Avenue

New York, NY 10018

(Office) +1.646.766.1703

seidenlawgroup.com

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